



SF 386 – Transportation Department Policies (LSB 2154SV)
Analyst: David Heuton (Phone: (515) 725-0509) (david.heuton@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 386 is the Department of Transportation's policy bill making various changes to **Iowa Code chapters 321** and **321J** to bring Iowa into compliance with 23 U.S.C. §164. This bill also provides that an electronic display of proof insurance is acceptable as proof of financial responsibility as required under **Iowa Code chapter 321A**.

Section 9 of this Bill amends **Iowa Code section 321.208** to add violating a state or local law or ordinance prohibiting texting or using a mobile phone while operating a commercial motor vehicle to the current list of offenses that may disqualify a person from holding a commercial driver's license (CDL). This Section does not create any new offense or amend any current Iowa law regarding texting or using a mobile phone while driving, it only tracks conviction for violations of existing laws. Iowa must come into compliance with federal law by October 1, 2013, or risk the loss of federal Motor Carrier Safety Assistance Program (MCSAP) funding.

Sections 12, 13, and 14 of this Bill amend Iowa's repeat operating while intoxicated (OWI) offender laws to comply with recent amendments to 23 U.S.C. §164. The amendments require states to enforce a law that requires a repeat offender that drives on a restricted license before the end of his or her revocation to drive only vehicles equipped with an ignition interlock device (IID) for a period of one year. Failure to comply with 23 U.S.C. §164 will result in an annual shift of 2.50% of Iowa's federal highway construction dollars to safety programs.

Fiscal Impact

The fiscal impact of failing to adopt the changes made in Section 9 of this Bill may be an annual loss of \$3.0 million in federal MCSAP funds that support motor carrier safety functions conducted by Motor Vehicle Enforcement and Iowa State Patrol officers.

The fiscal impact of failing to pass Sections 12, 13, and 14 of this Bill will result in the annual diversion of approximately \$10.5 million from the construction program to safety programs.

Source

Department of Transportation

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
